

SAN LUIS OBISPO PLANNING DEPARTMENT HEARINGS
MINUTES OF THE MEETING OF

December 20, 2013

OK 1/8/14
MATT JANSSEN

Minutes of the Regular Meeting of the County Planning Department Hearings held in the Board of Supervisors Chambers, County Government Center, San Luis Obispo, California, at 9:00 a.m.

The meeting is called to order at 09:00 a.m. by Matt Janssen, Hearing Officer.

The following action minutes are listed as they were acted upon by the Hearing Officer of the Planning Department Hearings and as listed on the agenda for the Regular Meeting of December 20, 2013, together with the maps and staff reports attached thereto and incorporated therein by reference.

HEARINGS ARE ADVERTISED FOR 9:00 A.M. THIS TIME IS ONLY AN ESTIMATE AND IS NOT TO BE CONSIDERED AS TIME GUARANTEED. THE PUBLIC AND APPLICANTS ARE ADVISED TO ARRIVE EARLY.

*****DRAFT MINUTES*****DRAFT MINUTES*****DRAFT MINUTES*****

PUBLIC COMMENT PERIOD

No one coming forward.

CONSENT AGENDA:

- a. Planning Department Hearing Minutes - December 6, 2013
Minutes reviewed on December 12, 2013 by Mike Wulkan, Hearing Officer
Recommendation: Receive and File

Thereafter, on motion of the hearing officer, the Planning and Building Department Hearing Minutes of December 6, 2013 are Received and Filed as recommended and are available on file at the office of the County Planning and Building Department.

1. Hearing to consider a request by ALBERT GOOD for a Minor Use Permit to allow change in use of two existing 3,000 square foot agricultural structures to a winery. The winery operation currently exists within the existing agricultural structures. The Minor Use Permit would legalize the winery operation. The site is in the San Miguel planning area. This project is exempt from environmental review per Section 15303 of the California Environmental Quality Act. County File Number: DRC2013-00013 Assessor Parcel Number: 019-070-046 Supervisorial District: 1 Date Accepted: September 23, 2013 Rob Fitzroy, Project Manager Recommendation: Approve

Thereafter, on motion of the hearing officer, the request by ALBERT GOOD for a Minor Use Permit (DRC2013-00013) s granted based on the Findings A. through F. listed in Exhibit A and subject to the Conditions 1 through 17 listed in Exhibit B (Document Number: 2013-092_PDH).

2. Hearing to consider a request by PEDP, INC. for a Minor Use Permit to allow construction of a 2,998 square foot, office building with 19,995 square foot of outdoor storage. The project site is Lot 16 of Tract 2368, a commercial service business park subdivision, recorded in 2006. The project will result in disturbance of approximately 23,000 square feet on a 2.41 acre parcel. The proposed project is within the Commercial Service land use category and is located on the south side of Morabito Place at the intersection with Prospect Street, adjacent to the southern city limits of the City of San Luis Obispo. The site is in the San Luis Obispo planning area. The Environmental Coordinator finds that the previous Mitigated Negative Declaration that was adopted for Tract 2368 is adequate for the purposes of compliance with CEQA because no substantial changes are proposed in the project which will require major revision of the previous Mitigated Negative Declaration, no substantial changes occur with respect to the circumstance under which the project is undertaken which will require major revision of the previous Negative Declaration, and no new information of substantial importance has been identified which was not known at the time that the previous Mitigated Negative Declaration was adopted on August 14, 2003. County File Number: DRC2013-00024 Assessor Parcel Number: 075-512-016 Supervisorial District: 3 Date Accepted: November 4, 2013 Stephanie Fuhs, Project Manager Recommendation: Approve

Thereafter, on motion of the hearing officer, the request by PEDP, INC. for a Minor Use Permit (DRC2013-00024) is granted based on the Findings A. through F. listed in Exhibit A and subject to the Conditions 1 through 41 listed in Exhibit B with the newly amended Condition 1c to read: "Maximum height for the building is 35 feet from average natural grade (plans show a finished maximum height of 21 feet). This maximum height shall comply with the FAA determination concerning requirements of FAR77, "Object Affecting Navigable Airspace", and newly amended Condition 2a to read: " A total of 12 parking spaces". (Document Number: 2013-093_PDH).

HEARING ITEMS:

3. Continued hearing to consider an appeal by BRIANNE DIETZE for the Administrative Fine of \$100.00 by violation of the San Luis Obispo County Code(s): SLOCC 19.01.020K Penalty for Violation, SLOCC 19.01.040 Permit Required & CA Building Code 105.1 Permit Required At 4670 River Grove Drive, Whitley Gardens, CA 93446-9388 (cont'd. from the 12/6/12 PDH). County File Number: COD2010-00206 APN: 019-251-013 Supervisorial District: 1 Date Appealed: 09/30/2013 Steven Craig dye, Code Enforcement Officer

Donna Hernandez, Secretary Pro Tem, introduces the item and administers the oath to all parties involved.

Steven Craig Dye, County Code Enforcement: reads from his staff report explaining the violation(s).

Brianne Dietze, Appellant: questions the Hearing Officer regarding her options relating to testimony given by Steven Dye, Matt Janssen responds.

Matt Janssen, Hearing Officer: questions Steven Dye, Code Enforcement Officer, regarding how he came to find out about the violations on the property and how Code Enforcement cases are generated. Also questions Mr. Dye regarding any permits and their status and red-tagging the property. Mr. Dye responds.

Brianne Dietze, Appellant: responds to testimony given by Steven Dye, states she is not appealing the fine, but the entire process that she has been exposed to.

Matt Janssen, Hearing Officer: reviews the criteria for Ms. Dietze regarding the criteria for her to successfully appeal the fine and questions which possible option she will be using. Ms. Dietze responds.

Matt Janssen, Hearing Officer: deliberates.

Brianne Dietze, Appellant: deliberates.

Matt Janssen, Hearing Officer: questions Ms. Dietze on several topics Ms. Dietze responds.

Steven Dye, Code Enforcement Officer: questions Ms. Dietze regarding several issues, Ms. Dietze responds.

Matt Janssen, Hearing Officer: deliberates.

Dean Buckley, Acquaintance of Appellant: states his support of Ms. Dietze.

Matt Janssen, Hearing Officer: deliberates.

Brianne Dietze, Appellant: gives her closing comments.

Matt Janssen, Hearing Officer: states that he believes she understood the process and what was required. Ms. Dietze responds. He then deliberates.

Thereafter, on motion of the hearing officer, the request by BRIANNE DIETZE for an Appeal of an Administrative Fine of \$100.00 is denied. (Document Number: 2013-094_PH).

ADJOURNMENT: 10:24 a.m.

DONNA HERNANDEZ, SECRETARY PRO TEM, PLANNING DEPARTMENT HEARINGS